SBCivil Writ Petition No.5142/2006

Om Prkash Babal
Vs.
State of Rajasthan & Ors.

Date of Order :: 13th September, 2006

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. Ranjeet Joshi, for the petitioner.

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The petitioner is facing an inquiry under Rule 16 of the Rajasthan Civil Services (Classification, Control & Appeal) Rules, 1958. In the inquiry aforesaid the prosecution submitted an application to call a witness whose name was not given in the list of witnesses submitted earlier. The inquiry officer by order dated 2.9.2006 accepted the application aforesaid and permitted the prosecution to call the witness in evidence. The order aforesaid is under challenge in this petition for writ.

It is contended by counsel for the petitioner that the prosecution want to call the witness only to fill up the gaps and that is not permissible under law.

Heard counsel for the petitioner.

The petitioner is facing the departmental inquiry and the same has not yet been completed. I do not consider it appropriate to interfere with the

inquiry at this stage under Article 226 of the Constitution of India. If the petitioner is having any grievance in calling the witness under order dated 2.9.2006 then it shall be open for him to challenge the final out some of the inquiry on this count.

Accordingly, this petition for writ is dismissed.

(GOVIND MATHUR),J.

kkm/ps.